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June 7, 2022

**VIA ECF**

Hon. Ronnie Abrams, United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *United States ex rel. Hart v. McKesson Corp.*, No. 15-Civ-0903 (RA) (JLC)

Dear Judge Abrams:

We represent Relator Adam Hart (“Relator”) in the above-captioned matter and request, in accordance with Rule 5A.iii of Your Honor’s Individual Rules & Practices in Civil Cases and Paragraph 11.3 of the Stipulation Regarding Protection of Confidential Information (“Protective Order”) entered in this case (ECF No. 78), that the Court permit portions of the Second Amended Complaint to be filed provisionally under seal with the Viewing Level of “Selected Parties.” Pursuant to Your Honor’s Individual Rules & Practices, we are submitting a copy of the Second Amended Complaint under seal, with proposed redactions highlighted.

The Second Amended Complaint’s proposed redactions concern information from documents that have been designated “CONFIDENTIAL” by McKesson. Under Paragraph 11.3 of the Protective Order, this information shall be filed “provisionally under seal” and McKesson, as the “Designating Party bears the burden of persuading the Court that” this information “should

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be permanently sealed.” Relator anticipates that McKesson will be filing a letter pursuant to Rule 5A.iii.i of Your Honor’s Individual Rules & Practices seeking to keep the redacted portions under seal. Relator reserves the right to respond to McKesson’s position if necessary.

McKesson has informed Relator that it does not object to the filing of the redacted portions provisionally under seal. Accordingly, Relator respectfully requests that the Court permit the Second Amended Complaint to be filed provisionally in redacted form.

Respectfully submitted,

*/s/ Andrew C. Shen*

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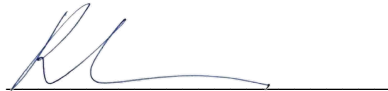
*Attorneys for Qui Tam Plaintiff Adam Hart*

Application granted.

No later than June 22, 2022 the parties shall submit a letter explaining why the redacted portions should remain under seal in light of the public's presumptive right of access. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119 (2d Cir. 2006).

Hart shall also submit a redline comparing the First and Second Amended Complaints.

SO ORDERED.



Hon. Ronnie Abrams  
06/09/22